

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

BAKERY, CONFECTIONARY, TOBACCO WORKERS,)	
AND GRAIN MILLERS INTERNATIONAL UNION,)	
AFL-CIO-CLC, LOCAL UNION NO. 1,)	
)	
)	
Petitioner,)	
)	
and)	No. 13-RC-113248
)	
LIFEWAY FOODS, INC.,)	
)	
Respondent.)	

RESPONSE OF PETITIONER TO REQUEST FOR EXTENSION

Petitioner, by its counsel, responds to the motion filed by Respondent for an extension of time from November 14, 2014 to December 5, 2014 to file any exceptions to the Report of the Hearing Officer issued on October 31, 2014 as follows:

1. This case has already been pending for more than a year.

2. The undersigned counsel did object to the three week extension of time of the Employer however did offer to agree to a ten day extension, until November 24, 2014. Given that the brief would then be filed Thanksgiving week counsel for Petitioner required an agreement for a two day extension for any reply, that is from December 1, 2014 to December 3,


2014, if the Employer wished to extend to November 24, 2014. The offer was rejected by the Employer.

3. The undersigned counsel further noted to counsel for Employer that a December 5, 2014 date for the filing of Exceptions would impact her schedule in that she had an Appellate reply brief due in the week following December 5, 2014 as well as an arbitration hearing on a termination and another Appellate responsive brief due the following week. Given the length of time this matter has been pending and the effect of continued delay for the employees the undersigned stated that a lengthy extension for the reply of Petitioner to the Exceptions would not be an option that Petitioner would want to consider.

4. Based on the foregoing Petitioner would request that the extension of time to file Exceptions from November 14, 2014 to December 5, 2014 be denied.

Respectfully submitted,

CORNFIELD AND FELDMAN LLP

BY 
GAIL E. MROZOWSKI, one of the
attorneys for Petitioner


November 7, 2014

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CERTIFICATE OF SERVICE

Gail E. Mrozowski, an attorney, certifies that she filed electronically and served the foregoing **RESPONSE OF PETITIONER TO REQUEST FOR EXTENSION** to counsel below via e-mail transmission on the 7th day of November, 2014 to:

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Gail E. Mrozowski